

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
OFFICE OF THE CLERK

RICHARD H. WEARE
DISTRICT COURT EXECUTIVE / CLERK OF COURT
Sandra Day O'Connor U.S. Courthouse
401 West Washington Street
PHOENIX, ARIZONA 85003

Visit our website at www.azd.uscourts.gov

RONNIE HONEY
CHIEF DEPUTY CLERK
Sandra Day O'Connor U.S. Courthouse
401 West Washington Street
PHOENIX, ARIZONA 85003

MICHAEL O'BRIEN
CHIEF DEPUTY CLERK
Evo A. DeConcini Courthouse
405 W. Congress, Suite 1500
TUCSON, ARIZONA 85701

September 12, 2005

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

SEP 16 2005

Mr. Matthew J. Dykman, Clerk
United States District Court
United States Courthouse, Suite 270
333 Lomas Boulevard, N.W.
Albuquerque, NM 87102

MATTHEW J. DYKMAN
CLERK

Re: USA vs Jorge Ortiz-Moffett
Our Magistrate Case No. 05-0641M
Your Criminal No., CR05-1849 *JH*

Dear Clerk:

In connection with the above-entitled Removal Proceedings,
enclosed herewith are the following:

- (1) Copy of Arrest Warrant
- (2) Certified copy of M/E of 09/02/05
- (3) Certified copy of Waiver of Removal
Hearing
- (4) Copy of Commitment to Another District
- (5) Certified Copy of Docket Sheet

Please acknowledge receipt of same on the copy of this letter
and return to this office for filing.

RICHARD H. WEARE, CLERK

pu
By: /s/ Dori Lee Noriega
Dori Lee Noriega,
Deputy Clerk

cc: US Attorney, Tucson
US Attorney, Dist. of New Mexico
Steven G. Ralls

129

(8)

AO 442 (Rev. 5/93) Warrant for Arrest

FILED	LODGED
RECEIVED	COPY
AUG 25 2005	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY	DEPUTY

United States District Court

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

v.

JORGE LUIS ORTIZ-MOFFETT

COPY

WARRANT FOR ARREST

CASE NUMBER

CR05 1849

To: The United States Marshal
and any Authorized United States Officer

05-00641M

YOU ARE HEREBY COMMANDED to arrest

JORGE LUIS ORTIZ-MOFFETT

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Count 1: 21 U.S.C. § 846 - Conspiracy to Distribute 1000 Kilograms and More of Marijuana

VIOLATION OF
Title

21 United States Code, Section(s) 846

Matthew J. Dykman

Name of Issuing Officer

Signature of Issuing Officer

Court Clerk

Title of Issuing Officer

AUG 23 2005

Date and Location

ALBUQUERQUE, NEW MEXICO

Bail fixed at \$

by

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

E-FILED

1476 N. CAMINO VILLA LOS ARCOS TUCSON, AZ

DATE RECEIVED

08/24/05

NAME AND TITLE OF ARRESTING OFFICER

SA ROBERT PAYNE

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

08/25/05

AO 442 (Rev. 5/93) Warrant for Arrest

United States District Court

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

v.

JORGE LUIS ORTIZ-MOFFETT

COPY

WARRANT FOR ARREST

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To: The United States Marshal
and any Authorized United States Officer

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charging him or her with (brief description of offense)

Count 1: 21 U.S.C. § 846 - Conspiracy to Distribute 1000 Kilograms and More of Marijuana

in violation of
Title

21

United States Code, Section(s): 846

Matthew J. Dykman

Name of Issuing Officer

Court Clerk

Title of Issuing Officer

AUG 23 2005

Date and Location

ALBUQUERQUE, NEW MEXICO

Bail fixed at \$

by

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

1446 N CAMINO VILLA LOS ARCES TUCSON, AZ

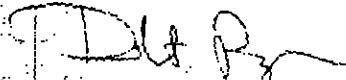
DATE RECEIVED

8/24/05

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

SA ROBERT PAYNE



UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA - TUCSON

MAGISTRATE JUDGE'S MINUTES

DATE: 9/2/2005 CASE NUMBER: 05-00641MUSA vs. JORGE ORTIZ-MOFFETTU.S. MAGISTRATE JUDGE: MAGISTRATE GLENDA E. EDMONDS Judge #: 70BHU.S. Attorney Carin Durvee for Nicole Savei INTERPRETER REQ'D N/AAttorney for Defendant Steven G. Ralls (Spec Appr)INITIAL APP: ☐ HELD DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☐ RELEASED ☒ CUSTODY☐ Complaint Filed ☐ DOA ☒ Warrant Other District ☐ Financial Afdvt taken
☐ Warrant Phx Div. ☐ No Financial Afdvt taken
☐ Counsel waives reading of the Complaint/Indictment☐ Defendant states true name to be _____
Further proceedings Ordered in defendant's true name.☐ Government's motion for detention and request for a continuance of the Detention Hearing pursuant to §3142(e) & (f)
is ☐ Granted ☐ Denied☐ Defendant shall be temporarily detained in the custody of the United States Marshal pursuant to ☐ § 3142(f) ☐ § 3142(d)PSA recommends detention; Gov't ☒ concurs ☐ objectsGOVERNMENT recommends detention☐ Court accepts/rejects stip of pty's/recommendation by _____

Bail set at \$ _____

☐ Defendant signed Order Setting Conditions of Release and released on _____

DETENTION HEARING: <input checked="" type="checkbox"/> Held <input type="checkbox"/> Cont'd Set for: before:	REMOVAL HEARING: <input type="checkbox"/> Held <input checked="" type="checkbox"/> Waived Set for: before:
Gov't's request for detention <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied	<input checked="" type="checkbox"/> COMMITMENT TO ANOTHER DISTRICT ISSUED
<input checked="" type="checkbox"/> Defendant Ordered detained pending Removal to DISTRICT OF NEW MEXICO <input type="checkbox"/> Gov't withdraws request to detain defendant	<input type="checkbox"/> ORDER BOND posted in this case be transferred to the U.S. District Court for the <u>DISTRICT OF NEW MEXICO</u> where this matter is pending

☒ Deft. signs written Waiver of Removal Hrg. The Magistrate Judge finds, on the basis of def't's written waiver of removal hrg and this Magistrate Judge's receipt of the original/certified copy of the warrant from the DISTRICT OF NEW MEXICO that there is probable cause to believe that this defendant is the JORGE ORTIZ-MOFFETT as named in the said warrant; and that there is probable cause to believe that an offense has been committed against the United States of America.

☒ IT IS ORDERED that the Marshal promptly remove defendant from the District of Arizona to the charging district.

Copies to:
USA, CNSL, PSA

Recorded by Courtsmart

BY: Melodee Horton for Armida Butler
Deputy Clerk

E-FILED

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America

V.

JORGE ORTIZ-MOFFETT

WAIVER OF RULE 5(c)(3) HEARINGS
(Excluding Probation Cases)

Case Number: 05-00641M

I, JORGE ORTIZ-MOFFETT, understand that in the District of NEW MEXICO, charges are pending alleging violation of 21:846; CONSPIRACY TO DISTRIBUTE MARIJUANA and that I have been arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, FED. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N) :

- ☒ identity hearing
☐ preliminary examination
☐ identity hearing and have been informed I have no right to a preliminary examination
☐ identity hearing but request a preliminary examination to be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me. I further waive the presentation of the original or the certified copy of the Warrant from the District of NEW MEXICO in the District of Arizona.

Defendant

8/31/05

9/2/05

Defense Counsel

5

E-FILED

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

UNITED STATES OF AMERICA

V.

JORGE ORTIZ-MOFFETT

COMMITMENT TO ANOTHER
DISTRICT

RECEIVED	LODGED
	COPY
SEP - 2 2005	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY _____ DEPUTY	

Case Number: 05-00641M-001

Charging District Case Number: 05-1839

The defendant is charged with a violation of 21:846 alleged to have been committed in the District of New Mexico

Brief Description of Charge(s): Conspiracy to Distribute 1000 Kilograms and More of Marijuana

The defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. §§3141-3143.

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant, all proceedings required by Fed. R. Crim. P. 40 having been completed.

8/21/05
Date 9/2/05

Glenda E. Edmonds
MAGISTRATE GLENDA E. EDMONDS
Judicial Officer

RETURN

THIS COMMITMENT WAS RECEIVED AND EXECUTED AS FOLLOWS:

DATE COMMITMENT ORDER RECEIVED			PLACE OF COMMITMENT			DATE DEFENDANT COMMITTED		
DATE	UNITED STATES MARSHAL				(BY) DEPUTY MARSHAL			

orig + lcc to USMS

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an
E-FILED

**U.S. District Court
DISTRICT OF ARIZONA (Tucson Division)
CRIMINAL DOCKET FOR CASE #: 4:05-mj-00641-HCE-ALL
Internal Use Only**

Case title: USA v. Ortiz-Moffett

Date Filed: 08/25/2005

Assigned to: Magistrate Judge Hector C
Estrada

Defendant**Jorge Luis Ortiz-Moffett (1)***TERMINATED: 09/02/2005***Pending Counts**

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

21:846 Conspiracy to Possess w/Intent
to Distribute Marijuana

Disposition**Plaintiff**

USA

represented by **Nicole P Savel**

US Attorney's Office

405 W Congress St

Ste 4800

Tucson, AZ 85701-5040

520-620-7300

Fax: 520-620-7320

Email: Nicole.Savel@usdoj.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
08/25/2005	31	Arrest (Rule 40) of Jorge Luis Ortiz-Moffett (DNO,) (Entered: 09/12/2005)
08/25/2005	32	Minute Entry for proceedings held before Judge Hector C Estrada :Initial Appearance in Rule 5(c)(3) Proceedings as to Jorge Luis Ortiz-Moffett held on 8/25/2005, Interpreter set as to Jorge Luis Ortiz-Moffett (1) Spanish (Court Reporter Courtsmart.) (DNO,) (Entered: 09/12/2005)
08/31/2005	33	Minute Entry for proceedings held before Judge Glenda E Edmonds :Detention Hearing as to Jorge Luis Ortiz-Moffett held on 8/31/2005, Bond set as to Jorge Luis Ortiz-Moffett (1) \$100,000 Cash, Corp Surety or Property Bond (Court Reporter Courtsmart.) (DNO,) (Entered: 09/12/2005).
08/31/2005	34	Miscellaneous Document: Faxed Motion to Revoke Magistrate Judge's Release Order from DOJ District of New Mexico as to Jorge Luis Ortiz-Moffett. (DNO,) (Entered: 09/12/2005)
09/02/2005	35	WAIVER of Rule 40 Hearings by Jorge Luis Ortiz-Moffett (DNO,) (Entered: 09/12/2005)
09/02/2005	36	Minute Entry for proceedings held before Judge Glenda E Edmonds :Detention Hearing as to Jorge Luis Ortiz-Moffett held on 9/2/2005, Appearance with counsel as to Jorge Luis Ortiz-Moffett ; attorney Nicole P Savel for USA., Jorge Luis Ortiz-Moffett terminated. (Court Reporter Courtsmart.) (DNO,) (Entered: 09/12/2005)
09/02/2005	37	COMMITMENT TO ANOTHER DISTRICT as to Jorge Luis Ortiz-Moffett. Defendant committed to District of New Mexico. Signed by Judge Glenda E Edmonds on 09/02/05. (DNO,) (Entered: 09/12/2005)
09/12/2005	38	Miscellaneous Document: Letter to Dist of New Mexico from Dist of AZ as to Jorge Luis Ortiz-Moffett. (DNO,) (Entered: 09/12/2005)

I hereby attest and certify on 9/13/05
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my cus-
tody.

CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONA

By [Signature] Deputy